

DRAFT LEGISLATION

CHRIS -
PLEASE PLACE
UNDER CONSENT
ON 12/13/04

December 10, 2004

Board Members:

As reported to the Board last week, staff was confronted with a last minute decision whether to file legislation in connection with ongoing negotiations. Town Counsel had recommended this course of action and, since all bills needed to be filed by 4:00 PM that day, I made I gave the authorization to go ahead. At that time we notified the Board and advised that we would bring it to you on December 13 for your direction to either proceed or withdraw the filing. Below is an excerpt from the correspondence that has been slightly redacted to protect the integrity of the negotiations:

(19)

If we erred in our judgment and the Board wishes to withdraw this last minute amendment. Then we can withdraw the amendment. We will place this subject on your next agenda so that you may provide formal comment.

John

-----Original Message-----

From: Stephen Anderson
Sent: Wednesday, December 01, 2004 3:57 PM
To: Don Johnson; John Murray
Subject: Acton

Gentlemen:

In view of our meeting today on this project, would you like me to send this to Senator Resor's office:

Chapter ____ of the Acts of 2004

AN ACT RELATIVE TO MITIGATION MEASURES FOR AFFORDABLE HOUSING PROJECTS

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Section 21 of chapter forty B is amended by adding the following new fourth sentence:

In the event a comprehensive permit requires as a condition of approval mitigation measures which are agreed to by a private applicant and which are to be constructed on publicly-owned property by the private applicant, the private applicant may construct such mitigation measures pursuant to a license from the public board, commission or authority having jurisdiction over the publicly-owned property without the need for any request for proposals, other public bidding or compliance with other requirements ordinarily applicable to a public project.

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